

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA, :

- v. - :

**SEALED INDICTMENT**

S1 06 Cr. 593(SHS)

MARVEL STRAND, :

a/k/a "Vel," :

a/k/a "Lite," :

MARVIN STRAND, :

a/k/a "Marv," :

SHEVAH YARDE, :

a/k/a "Fat Cat," :

WILLIAM WAINRIGHT, :

a/k/a "Snag," :

JASON WALTON, :

a/k/a Playboy," :

SHAD ESTES, :

a/k/a "Shag," :

JONATHAN GOMEZ, :

MICHAEL AUGUSTIN, :

a/k/a "Smitty," :

ROBERT SPELLER, :

a/k/a "Rob Low," :

KEITH MCKINNEY, :

a/k/a "Bot," :

DEMETRIUS LOCUS, :

a/k/a "DD," :

ROBERT BROWN, :

a/k/a/ "Focus," and :

DONNIECE MASTERSON, :

Defendants. :

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COUNT ONE

The Grand Jury charges:

1. From at least in or about 1996, up to and including in or about July 2006, in the Southern District of New York and elsewhere, MARVEL STRAND, a/k/a "Vel," a/k/a "Lite," MARVIN STRAND, a/k/a "Marv," SHEVAH YARDE, a/k/a "Fat Cat,"

WILLIAM WAINRIGHT, a/k/a "Snag," JASON WALTON, a/k/a "Playboy," SHAD ESTES, a/k/a "Shag," JONATHAN GOMEZ, MICHAEL AUGUSTIN, a/k/a "Smitty," ROBERT SPELLER, a/k/a "Rob Low," KEITH MCKINNEY, a/k/a "Bot," DEMETRIUS LOCUS, a/k/a "DD," ROBERT BROWN, a/k/a "Focus," and DONNIECE MASTERSON, the defendants, and others known and unknown, unlawfully, intentionally, and knowingly did combine, conspire, confederate, and agree together and with each other to violate the narcotics laws of the United States.

2. It was a part and an object of the conspiracy that MARVEL STRAND, a/k/a "Vel," a/k/a "Lite," MARVIN STRAND, a/k/a "Marv," SHEVAH YARDE, a/k/a "Fat Cat," WILLIAM WAINRIGHT, a/k/a "Snag," JASON WALTON, a/k/a "Playboy," SHAD ESTES, a/k/a "Shag," JONATHAN GOMEZ, MICHAEL AUGUSTIN, a/k/a "Smitty," ROBERT SPELLER, a/k/a "Rob Low," KEITH MCKINNEY, a/k/a "Bot," DEMETRIUS LOCUS, a/k/a "DD," ROBERT BROWN, a/k/a "Focus," and DONNIECE MASTERSON, the defendants, and their co-conspirators, unlawfully, intentionally, and knowingly would and did distribute and possess with intent to distribute a controlled substance, to wit, 50 grams and more of mixtures and substances containing a detectable amount of cocaine base, in a form commonly known as "crack," in violation of Title 21, United States Code, Sections 812, 841(a)(1), and 841(b)(1)(A).

OVERT ACTS

3. In furtherance of the conspiracy, and to effect the illegal object thereof, the following overt acts, among others, were committed in the Southern District of New York.

a. On or about December 11, 1997, MARVIN STRAND, a/k/a "Marv," the defendant, possessed a firearm in the vicinity of 166<sup>th</sup> Street and Findlay Avenue, in the Bronx, New York.

b. On or about January 1, 1999, SHEVAH YARDE, a/k/a "Fat Cat," possessed a firearm in the vicinity of 166<sup>th</sup> Street and Findlay Avenue, in the Bronx, New York.

c. On or about May 18, 2000, MARVIN STRAND, a/k/a "Marv," the defendant, possessed a controlled substance in the vicinity of 166<sup>th</sup> Street and Findlay Avenue, in the Bronx, New York.

d. On or about August 23, 2000, JASON WALTON, a/k/a "Playboy," the defendant, possessed a controlled substance in the vicinity of 166<sup>th</sup> Street and Findlay Avenue, in the Bronx, New York.

e. On or about July 10, 2001, MARVIN STRAND, a/k/a "Marv," the defendant, possessed a controlled substance in the vicinity of 166<sup>th</sup> Street and Findlay Avenue, in the Bronx, New York.

f. On or about December 19, 2001, ROBERT BROWN, a/k/a "Focus," the defendant, possessed a controlled substance in the

vicinity of 166<sup>th</sup> Street and Teller Avenue, in the Bronx, New York.

g. On or about June 20, 2002, MARVEL STRAND, a/k/a "Vel," a/k/a "Light," the defendant, carried a firearm, which he used to shoot and injure an individual in the vicinity of 1100 Teller Avenue, in the Bronx, New York.

h. On or about June 27, 2002, SHEVAH YARDE, a/k/a "Fat Cat," the defendant, sold a controlled substance to an undercover police officer in the vicinity of 166<sup>th</sup> Street and Findlay Avenue, in the Bronx, New York.

i. On or about May 29, 2003, WILLIAM WAINRIGHT, a/k/a "Snag," the defendant, sold a controlled substance to an undercover police officer in the vicinity of 166<sup>th</sup> Street and Findlay Avenue, in the Bronx, New York.

j. On or about June 6, 2005, SHEVAH YARDE, a/k/a "Fat Cat," MICHAEL AUGUSTIN, a/k/a "Smitty," and JASON WALTON, a/k/a "Playboy," possessed firearms, which AUGUSTIN and YARDE used to shoot and injure a rival drug dealer who was engaged in a fight with WALTON, in the vicinity of 166<sup>th</sup> Street and Findlay Avenue, in the Bronx, New York.

k. On or about August 26, 2005, SHAD ESTES, a/k/a "Shag," and JONATHAN GOMEZ, the defendants, sold a quantity of crack in the vicinity of 166<sup>th</sup> Street and Findlay Avenue, in the Bronx, New York.

l. On or about September 1, 2005, KEITH MCKINNEY, a/k/a "Bot," the defendant, sold a quantity of crack in the vicinity of 166<sup>th</sup> Street and Findlay Avenue, in the Bronx, New York.

m. On or about October 3, 2005, MARVIN STRAND, a/k/a Marv," the defendant, placed two firearms in a car in the vicinity of 166<sup>th</sup> Street and Findlay Avenue, in the Bronx, New York.

n. On or about October 6, 2005, DEMETRIUS LOCUS, a/k/a "DD," and ROBERT BROWN, a/k/a "Focus," the defendants, sold a quantity of crack in the vicinity of 166<sup>th</sup> Street and Findlay Avenue, in the Bronx, New York.

o. On or about October 13, 2005, DONNIECE MASTERSON, the defendant, possessed a quantity of crack in the vicinity of 166<sup>th</sup> Street and Findlay Avenue, in the Bronx, New York.

p. On or about October 13, 2005, SHAD ESTES, a/k/a "Shag," the defendant, possessed a firearm in the vicinity of 166<sup>th</sup> Street and Findlay Avenue, in the Bronx, New York.

q. On or about February 6, 2006, JASON WALTON, a/k/a "Playboy," the defendant, and others known and unknown, sold a quantity of crack in the vicinity of 166<sup>th</sup> Street and Findlay Avenue, in the Bronx, New York.

r. On or about March 27, 2006, WILLIAM WAINRIGHT, a/k/a "Snag," the defendant, attempted to sell approximately 30

grams of crack in the vicinity of 166<sup>th</sup> Street and Findlay Avenue, in the Bronx, New York.

s. On or about March 27, 2006, MARVEL STRAND, a/k/a "Vel," a/k/a "Lite," the defendant, sold approximately 29.5 grams of crack in the vicinity of 166<sup>th</sup> Street and Findlay Avenue, in the Bronx, New York.

t. On or about March 27, 2006, DONNIECE MASTERSON, the defendant, brought approximately 29.5 grams of crack to MARVEL STRAND, a/k/a "Vel," a/k/a "Lite," in the vicinity of 166<sup>th</sup> Street and Findlay Avenue, in the Bronx, New York.

u. On or about March 29, 2006, MARVEL STRAND, a/k/a "Vel," a/k/a "Lite," the defendant, sold approximately 29.5 grams of crack in the vicinity of 166<sup>th</sup> Street and Findlay Avenue, in the Bronx, New York.

v. On or about March 31, 2006, MARVIN STRAND, a/k/a "Marv," the defendant, sold approximately 59 grams of crack in the vicinity of 166<sup>th</sup> Street and Findlay Avenue, in the Bronx, New York.

w. On or about April 5, 2006, SHEVAH YARDE, a/k/a "Fat Cat," the defendant, sold approximately 14.1 grams of crack in the vicinity of 166<sup>th</sup> Street and Findlay Avenue, in the Bronx, New York.

x. On or about April 13, 2006, SHEVAH YARDE, a/k/a "Fat Cat," the defendant, sold approximately 14.2 grams of crack

in the vicinity of 166<sup>th</sup> Street and Findlay Avenue, in the Bronx, New York.

y. On or about April 24, 2006, MARVIN STRAND, a/k/a "Marv," the defendant, possessed a firearm, which he used to shoot at an individual in the vicinity of 166<sup>th</sup> and Findlay Avenue, in the Bronx, New York.

z. On or about May 2, 2006, in the Bronx, New York, ROBERT SPELLER, a/k/a "Rob Low," the defendant, collected narcotics proceeds owed to MARVEL STRAND.

aa. On or about June 16, 2006, MARVIN STRAND, a/k/a "Marv," the defendant, possessed a quantity of crack in the Bronx, New York.

(Title 21, United States Code, Section 846.)

#### COUNT TWO

The Grand Jury further charges:

4. On or about August 26, 2005, in the Southern District of New York, SHAD ESTES, a/k/a "Shag," and JONATHAN GOMEZ, the defendants, and others known and unknown, unlawfully, intentionally, and knowingly did distribute and possess with intent to distribute a controlled substance, to wit, mixtures and substances containing a detectable amount of cocaine base, in a

form commonly known as "crack," which they sold in the vicinity of 166<sup>th</sup> Street and Findlay Avenue, in the Bronx, New York.

(Title 21, United States Code, Sections 812, 841(a)(1), and 841(b)(1)(C); Title 18, United States Code, Section 2.)

COUNT THREE

The Grand Jury further charges:

5. On or about September 1, 2005, in the Southern District of New York, KEITH MCKINNEY, a/k/a "Bot," the defendant, and others known and unknown, unlawfully, intentionally, and knowingly did distribute and possess with intent to distribute a controlled substance, to wit, mixtures and substances containing a detectable amount of cocaine base, in a form commonly known as "crack," which MCKINNEY sold in the vicinity of 166<sup>th</sup> Street and Findlay Avenue, in the Bronx, New York.

(Title 21, United States Code, Sections 812, 841(a)(1), and 841(b)(1)(C); Title 18, United States Code, Section 2.)

COUNT FOUR

The Grand Jury further charges:

6. On or about October 6, 2005, in the Southern District of New York, DEMETRIUS LOCUS, a/k/a "DD," and ROBERT BROWN, a/k/a "Focus," the defendants, and others known and unknown, unlawfully, intentionally, and knowingly did distribute and possess with intent to distribute a controlled substance, to wit, mixtures and substances containing a detectable amount of



cocaine base, in a form commonly known as "crack," which they sold in the vicinity of 166<sup>th</sup> Street and Findlay Avenue, in the Bronx, New York.

(Title 21, United States Code, Sections 812, 841(a)(1), and 841(b)(1)(C); Title 18, United States Code, Section 2.)

COUNT FIVE

The Grand Jury further charges:

7. On or about February 6, 2006, in the Southern District of New York, JASON WALTON, a/k/a "Playboy," the defendant, and others known and unknown, unlawfully, intentionally, and knowingly did distribute and possess with intent to distribute a controlled substance, to wit, mixtures and substances containing a detectable amount of cocaine base, in a form commonly known as "crack," which they sold in the vicinity of 166<sup>th</sup> Street and Findlay Avenue in the Bronx, New York.

(Title 21, United States Code, Sections 812, 841(a)(1), and 841(b)(1)(C), Title 18, United States Code, Section 2.)

COUNT SIX

The Grand Jury further charges:

8. On or about March 27, 2006, in the Southern District of New York, MARVEL STRAND a/k/a "Vel," a/k/a "Lite," and DONNIECE MASTERSON, the defendants, and others known and unknown, unlawfully, intentionally, and knowingly did distribute and possess with intent to distribute a controlled substance, to

wit, 5 grams and more of mixtures and substances containing a detectable amount of cocaine base, in a form commonly known as "crack," which MARVEL STRAND sold in the vicinity of 166<sup>th</sup> Street and Findlay Avenue, in the Bronx, New York.

(Title 21, United States Code, Sections 812, 841(a)(1), and 841(b)(1)(B); Title 18, United States Code, Section 2.)

COUNT SEVEN

The Grand Jury further charges:

9. On or about March 29, 2006, in the Southern District of New York, MARVEL STRAND, a/k/a "Vel," a/k/a "Lite," the defendant, and others known and unknown, unlawfully, intentionally, and knowingly did distribute and possess with intent to distribute a controlled substance, to wit, 5 grams and more of mixtures and substances containing a detectable amount of cocaine base, in a form commonly known as "crack," which MARVEL STRAND sold in the vicinity of 166<sup>th</sup> Street and Findlay Avenue, in the Bronx, New York.

(Title 21, United States Code, Sections 812, 841(a)(1), and 841(b)(1)(B); Title 18, United States Code, Section 2.)

COUNT EIGHT

The Grand Jury further charges:

10. On or about March 31, 2006, in the Southern District of New York, MARVIN STRAND, a/k/a "Marv," the defendant, and others known and unknown, unlawfully, intentionally, and

knowingly did distribute and possess with intent to distribute a controlled substance, to wit, 50 grams and more of mixtures and substances containing a detectable amount of cocaine base, in a form commonly known as "crack," which MARVIN STRAND sold in the vicinity of 166<sup>th</sup> Street and Findlay Avenue, in the Bronx, New York.

(Title 21, United States Code, Sections 812, 841(a)(1), and 841(b)(1)(A); Title 18, United States Code, Section 2.)

COUNT NINE

The Grand Jury further charges:

11. On or about April 5, 2006, in the Southern District of New York, SHEVAH YARDE, a/k/a "Fat Cat," the defendant, and others known and unknown, unlawfully, intentionally, and knowingly did distribute and possess with intent to distribute a controlled substance, to wit, 5 grams and more of mixtures and substances containing a detectable amount of cocaine base, in a form commonly known as "crack," which YARDE sold in the vicinity of 166<sup>th</sup> Street and Findlay Avenue, in the Bronx, New York.

(Title 21, United States Code, Sections 812, 841(a)(1), and 841(b)(1)(B); Title 18, United States Code, Section 2.)

COUNT TEN

The Grand Jury further charges:

12. On or about April 13, 2006, in the Southern District of New York, SHEVAH YARDE, a/k/a "Fat Cat," the defendant, and others known and unknown, unlawfully, intentionally, and knowingly did distribute and possess with intent to distribute a controlled substance, to wit, 5 grams and more of mixtures and substances containing a detectable amount of cocaine base, in a form commonly known as "crack," which YARDE sold in the vicinity of 166<sup>th</sup> Street and Findlay Avenue, in the Bronx, New York.

(Title 21, United States Code, Sections 812, 841(a)(1), and 841(b)(1)(B); Title 18, United States Code, Section 2.)

COUNT ELEVEN

The Grand Jury further charges:

13. On or about June 20, 2002, in the Southern District of New York, MARVEL STRAND, a/k/a "Vel," a/k/a "Lite," the defendant, unlawfully, willfully, and knowingly, during and in relation to a drug trafficking crime for which he may be prosecuted in a court of the United States, namely, the narcotics conspiracy charged in Count One of this Indictment, did use and carry a firearm, and, in furtherance of such crime, did possess a firearm, to wit, a handgun, which was discharged.

(Title 18, United States Code,  
Sections 924(c)(1)(A)(iii) and 2.)

COUNT TWELVE

The Grand Jury further charges:

14. On or about April 24, 2006, in the Southern District of New York, MARVIN STRAND, a/k/a "Marv," the defendant, unlawfully, willfully, and knowingly, during and in relation to a drug trafficking crime for which he may be prosecuted in a court of the United States, namely, the narcotics conspiracy charged in Count One of this Indictment, did use and carry a firearm, and, in furtherance of such crime, did possess a firearm, to wit, a handgun, which was discharged.

(Title 18, United States Code,  
Sections 924(c)(1)(A)(iii) and 2.)

COUNT THIRTEEN

The Grand Jury further charges:

15. On or about June 6, 2005, in the Southern District of New York, SHEVAH YARDE, a/k/a "Fat Cat," JASON WALTON, a/k/a "Playboy," and MICHAEL AUGUSTIN, a/k/a "Smitty," the defendants, unlawfully, willfully, and knowingly, during and in relation to a drug trafficking crime for which they may be prosecuted in a court of the United States, namely, the narcotics conspiracy charged in Count One of this Indictment, did use and carry firearms, and, in furtherance of such crime, did possess firearms, to wit, handguns, which were discharged.

(Title 18, United States Code,  
Sections 924(c)(1)(A)(iii) and 2.)

COUNT FOURTEEN

The Grand Jury further charges:

16. In or about October 2005, in the Southern District of New York, SHAD ESTES, a/k/a "Shag," the defendant, unlawfully, willfully, and knowingly, during and in relation to a drug trafficking crime for which he may be prosecuted in a court of the United States, namely, the narcotics conspiracy charged in Count One of this Indictment, did use and carry a firearm, and, in furtherance of such crime, did possess a firearm, to wit, a handgun.

(Title 18, United States Code,  
Sections 924(c)(1)(A)(i) and 2.)

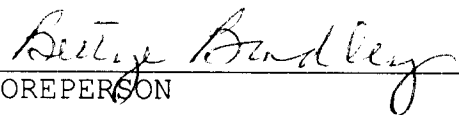
COUNT FIFTEEN

The Grand Jury further charges:

17. On or about October 3, 2005, in the Southern District of New York, MARVIN STRAND, a/k/a "Marv," the defendant, after having been convicted in a court of a crime punishable by imprisonment for a term exceeding one year, to wit, attempted robbery in the second degree, in New York State Supreme Court, Bronx County, unlawfully, willfully, and knowingly did possess in and affecting commerce, firearms, which had previously been shipped and transported in interstate commerce, to wit, a Colt Trooper .357 caliber magnum revolver and a New England .22

caliber revolver, which the defendant possessed in the vicinity of 166<sup>th</sup> Street and Findlay Avenue in the Bronx, New York.

(Title 18, United States Code, Section 922(g)(1).)

  
FOREPERSON

  
MICHAEL J. GARCIA  
United States Attorney

